DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
MARATHON REGULATORY OFFICE
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MARATHON, FLORIDA 33050

Regulatory Division
General Permit SAJ-82

APR 2 6 2007

DEPARTMENT OF THE ARMY PERMIT

REGIONAL GENERAL PERMIT SAJ-82
SAJ-2007-1590 (PEK)

VARIOUS MINOR ACTIVITIES IN MONROE COUNTY FLORIDA

Upon recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers And Harbors Act of 1899 (33 U.S.C. §403) and Section 404 of the Clean Water Act, general authority is hereby given to: allow activities occurring on open water shorelines, in residential canals and residential wetland lots in Monroe County, Florida authorized by this regional general permit SAJ-82 which include: single family residence (SFR) lot fills of minimized design, the construction of pile supported docks, boat ramps, riprap revetments, bulkheads, marginal docks, and backfill in principally residential canals and long docks on open water and in waters of the United States adjacent to Monroe County and the Florida Keys ranging from north Key Largo to the Dry Tortugas which are subject to the Corps' jurisdiction under the provisions of section 10 of the Rivers and Harbors Act of 1899, and Section 404 of the Clean Water Act. Activities will be limited to platted, developed areas (with public roads and utilities), and are on residential lots in waters of the U. S. and in navigable waters of the U.S. within Monroe County, Florida in accordance with the following:

GEOGRAPHIC AREA: The geographic area in which permit applications may be evaluated under Regional General Permit SAJ-82 is as follows: waters of the U. S. in and adjacent to Monroe County and the Florida Keys ranging from north Key Largo to the Dry Tortugas, and all of Florida Bay.

MITIGATION FOR THE FLORIDA KEYS:

The Corps' permits issued under Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act routinely contain conditions that relate to compensatory mitigation for resources, which are adversely affected or lost as a result of a permitted activity. The Corps is strongly committed to protection of the overall aquatic environment on a watershed basis and fully mitigating authorized impacts to all aquatic resources, including wetlands. Appropriate mitigation is based solely on the replication of functions of the aquatic resources impacted. Functions are defined as the normal or characteristic activities that take place in aquatic ecosystems.

Currently, most impacts to surface waters and wetlands caused by excavation or fill in the Florida Keys are offset by making a monetary donation to the KERF prior to the impact. Mitigation assessed for impacts in these areas will fund restoration through the KERF to restore the functionality of aquatic sites within the Florida Keys. The remaining amount will be used to acquire lands for restoration, and manage and administer the restoration program. The monetary contribution may be adjusted as needed to reflect the full cost of the mitigation work. The Keys Mitigation Index Guidelines (KeyMIG) has been reevaluated and adjusted to comply with full cost accounting. Key MIG assessment will normally be used for this RGP on open water shorelines, within residential canals and wetland lot impacts in the Florida Keys. UMAM will be used for that portion of a project where state of Florida exerts its jurisdiction, or for other mitigation conducted/proposed by the permittee (as approved by the Corps).

Walkways crossing mangrove or submerged resources shall be supported by single piles. Single pile supported walkways shall be made of grated material, no more than three feet in width, shall be elevated to conform with the Dock Construction Guidelines and placed so they cross mangrove fringes at the least impacting location.

CORPS EVALUATION FACTORS AND THE PUBLIC INTEREST:

Corps regulations governing the evaluation of applications seeking authorization under Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act required a review of project impacts for projects authorized by general permit to determine if the proposed impacts to wetlands and other aquatic

resources complied with the Section 404(b)(1) Guidelines and were not contrary to the public interest. A determination was made that the RGP is in compliance with the clean Water Act and that the activities authorized are not contrary to the public interest.

The Corps is particularly concerned with protection of the unique and fragile resources of the Florida Keys and surrounding waters. Floral and faunal abundance is commonplace in these waters, which also hold most of the continental United States' only living coral reef. Many permit project sites are heavily colonized with sponges, corals, macroalgae and tunicate species. Hardbottom communities, patch reefs, and seagrasses may be located adjacent to project areas and the Corps' authorizations will not authorize impact to valuable resources in these habitats.

Before compensatory mitigation may be authorized and a verification of SAJ-82 issued, the permittee must demonstrate that impacts have been avoided and minimized onsite to the extent practicable. The following evaluation factors will be considered during the onsite avoidance and minimization process: location of project areas within the watershed, and adjacency to unique features in the landscape (eg. algal beds, seagrass beds, coral resources), and the location of proposed fill and proximity of the fill location to the canal or open water and the vegetative buffer between this fill area and the canal or open water. Projects in which the applicant has not demonstrated adequate and appropriate steps to avoid and minimize impacts onsite will not be verified under this permit and will be reviewed as a standard individual permit/letter of permission.

SPECIAL CONDITIONS:

(1) The work herein authorized includes lot fills, pile supported docks, single pile supported access walkways, riprap revetments, bulkheads, backfill, boat ramps, marginal docks, their appurtenant structures (such as boat hoists, mooring piles, dolphins and the maintenance of same) not to exceed two vessels for private single-family lots in principally residential canals and long docks and minor structures on open water that meet the joint U.S. Army Corps of Engineers/National Marine Fisheries Service "Dock Construction Guidelines in Florida for Docks or Other Minor Structures Constructed in or over Submerged Aquatic Vegetation (SAV), Marsh or Mangrove Habitat" and the more stringent requirements of this general

permit. Submerged portions of structures authorized by this general permit must be of concrete, (i.e., concrete piles or PVC encased concrete piles) or non-floating aluminum piles. This permit is intended for use only in Monroe County, Florida. A residential canal in Monroe County is defined as a manmade waterway surrounded on one or both sides by uplands. All properties/locations associated with SAJ-82 will install (when practicable) a continuous water retention cap in uplands adjacent to navigable waters to allow the first two inches of storm water to percolate through the substrate. Federally maintained navigation and/or flood control projects are not considered to be residential canals and SAJ-82 is not authorized for use within them.

(2) Lot Fills (on platted residential lots in developed communities having public roads and utilities) not to exceed 4000 square feet are authorized, subject to the following limitations:

(i) Fill in lots containing tidal mangrove wetlands is not authorized, unless mangroves are located only on the lot canal fringe. Areas authorized for filling are only low quality wetlands such as buttonwood wetlands, scarified, or disturbed wetlands.

(ii) Fill in lots that are red-flagged by Monroe County and the EPA in the ADID process, have a KEYWEP score exceeding 5.5, or are in a subdivision where the number of other lots developed in the subdivision is less than 50 percent or show signs that native vegetation has been removed within the past 5 years are not authorized by Regional General Permit SAJ-82. Lot fills, including temporary impacts must be cross-referenced with the United States Fish and Wildlife Service's list of lots containing suitable and/or critical habitat for listed Threatened and Endangered Species. If a lot proposed to receive fill is listed additional consultation with the Service will be required prior to permit verification.

(iii) Lot fills will avoid wetland impacts wherever possible.

(iv) Retaining walls are required to protect wetlands and waters from storm water runoff. The Corps will normally require a riprap revetment, at a 2:1 slope, in front of the retaining wall. The waterward riprap will be no closer than 1 foot from the landward most trunk of a mangrove tree and will not be placed on or in an area, which supports mangrove pneumatophores.

(v) In some cases an upland buffer may be required to lessen impacts to adjacent wetlands. When wetland resources are present and in the opinion of the Corps it makes sound ecological sense, at least 20%, (as measured from the Mean High Water Line (MHWL), of the waterward portion of the lot will remain at natural contour, waterward of the retention wall and native vegetation may be required to remain or be planted in this area.

(vi) Grading of previously filled areas may be required to achieve elevations required in the preservation area(s). Mangrove, (*Rhizophora mangle, Avicennia germinans, and Laguncularia racemosa*), impacts shall be avoided wherever possible. This includes areas of mangrove prop-roots, or pneumatophores or any other root zone supporting, in the opinion of the Corps, obligate mangrove species.

(vii) Fill placement on lots with unique biological or cultural features, (these are features which are rare and vital to the life cycle of aquatic plants and animals [rookies, seagrass beds, algal beds, coral, hardbottom, etc,] and man-made resources, [which may include historic structures, grave sites, etc.], which are listed as historic sites having intrinsic value such that a more detailed review of the project impact is required through the standard permit process) will not be authorized by Regional General Permit SAJ-82.

(viii) Wetland lot fill impacts will be limited to 4,000 square feet.

(ix) At least 20 percent, as measured from the Mean High Water Line (MHWL), of the lot including all of any historical mangrove fringe must be preserved (if present), which ever results in the "least environmentally damaging practicable alternative" and provides the greatest on-site avoided preservation area. Exceptions may be otherwise approved as minimized structures as described elsewhere in the Regional General Permit.

(x) The Corps may require planting and maintenance of mangrove, buttonwoods (*Concarpus erectus*) and/or other native wetland species in the preservation area. The avoided and preserved area will be factored into the final mitigation for the project, normally as mitigation for indirect impacts of the project.

(3) Marginal Piers/Docks (on residential canal shorelines): Marginal docks are constructed along the edge of a canal and may be of concrete, wood or other appropriate material. These docks will extend waterward to, but not beyond, a point at which the depth of minus 4 feet Mean Low Water is achieved. (Marginal docks will normally only be permitted when a "T" style dock is not practicable. A "T" dock may not be practicable when encroachment into the navigable waterway exceeds 25 percent. "T" docks may also pose navigational hazards in canals, which historically accommodated large vessels or commercial vessel traffic. In some canal systems, with high lots and minimal wetland resources, "T" docks may provide no benefit to the aquatic environment.) Marginal docks may be pile supported, slab on grade or cantilevered. Marginal docks permitted under Regional General Permit SAJ-82 will not be authorized with concrete seawalls on the waterward side of the docks. Existing seawalls are not considered marginal docking structures. Alterations to existing seawalls such as whips, davits, boat elevators, fender piles, cleats and other structures which convert a seawall into a docking structure must be reviewed as docks, based on the direct, secondary and cumulative impacts associated with docking structures. Where located over submerged aquatic vegetation and/or emergent wetlands, marginal docks shall be limited to no more than 66 percent of the shoreline length owned by the applicant and under no condition, shall such structures exceed 40 feet in length. This limitation shall also apply to any location where submerged aquatic vegetation is present and vessel operation (including access and mooring) would result in significant direct or indirect impacts to the vegetation. All in-water structures must be concrete or aluminum materials, which are hollow and will not float.

(4) "T" and "L" Style Docks (on residential canal shorelines): Where a mangrove fringe or wetland vegetation exists along the shoreline, or a high ecological value submerged shelf exists, a dock with a walkway perpendicular to the shoreline, such as a "T" or "L" dock, will be constructed as follows: the "T" or "L" dock terminal platform must be installed at least one foot beyond the root zone, (including emergent and submerged prop-roots of a mangrove fringe); the portion of the dock parallel to the shoreline may run the entire shoreline length of the parcel and shall not exceed 5 feet in width; the dock and walkway shall be located so as to avoid or minimize covering wetland vegetation, mangroves, or high ecological value submerged shelf; the walkway connecting the dock to the shore shall not exceed 3 feet in width and be supported by a single pile and horizontal

surfaces of light transmitting grated material; one such walkway shall be allowed for every 100 feet of shoreline length or fraction thereof (for example, 75 feet of shoreline may have one walkway and 101 feet of shoreline may have two); where a mangrove fringe or wetland vegetation exists along the shoreline and a "T" or "L" style dock would extend over more than 10 percent of the width of the waterbody, the applicant will provide sealed measurements by a licensed engineer, architect or surveyor demonstrating the finished structure (including the beam of boat and mooring piles) will not exceed 25 percent of the navigable waterway, (as defined by the KEYMIG Functional Assessment and KEYMIG Assessment Guidelines which are incorporated by reference),; alternative designs shall only have the minimum deviations based on unique situations. If a Corps site visit or a benthic survey identifies a well-developed submerged vegetative community and/or valuable benthic resources, then all requirements of the "Dock Construction Guidelines in Florida for Docks or Other Minor Structures Constructed in or over SAV, Marsh or Mangrove Habitat" will be applied to the analysis. On canals having a width of less than 70 feet from Mean High Water Line (MHWL) to MHWL on the opposite shore, the Dock Construction Guidelines' height requirement may be waived if grating is used on the entire structure and the dock width does not exceed 5 feet and the access walkway is grated and supported by single piles.

(5) All SAJ-82 elevated structures with in-water components must be concrete or aluminum materials, which will not float. Single pile supported walkways are required and must have light transmitting horizontal surfaces of grated material, are no more than three feet in width, are elevated to conform with the Dock Construction Guidelines and placed so they cross mangrove fringes and benthic resources at the least impacting location. When single pile supported walkways are made of grated material, are no more than three feet in width, are elevated to conform with the Dock Construction Guidelines and placed so they cross a mangrove fringe at the least impacting location, no mitigation will be required for that portion of the mangrove fringe impacted directly by the walkway itself. No mooring is allowed along any access walkway or anywhere other than the terminus sides and waterward side of structures specifically permitted as docks and only at the terminal platform. Docks authorized by SAJ-82 will not service more than two vessels.

(6) Pier-Type Docks (on open water shorelines): Pier-type docks shall be permitted only when they conform to the "Dock

Construction Guidelines in Florida for Docks or Other Minor Structures Constructed in or over SAV, Marsh or Mangrove Habitat," (or to the more stringent requirements of this general permit), provided these structures are oriented approximately perpendicular to the shoreline; located in an existing break in the mangroves or shoreline vegetation; however, if no such break exists, a walkway, no more than 3 feet in width and supported by a single pile, may be cut through the mangroves or shoreline vegetation; structures are no longer than twice the linear shoreline frontage of the parcel or 200 feet, whichever is less. The dock length is measured from the mean low water line (MLWL) out to the waterward extension of the dock. Dock construction is not authorized in locations where damage, including that involved with vessel operation, to adjacent submerged vegetation or benthos would result; however, authorization may be granted when it is determined, by the Corps of Engineers, that such impacts may be reduced to minimal adverse affects through construction modification and/or other changes. .

(7) Water Access Walkways and Fishing/Water Observation Platforms (on open water shorelines): Water access walkways may be permitted, provided such structures are oriented approximately perpendicular to the shoreline; do not exceed twice the length of the applicant owned shoreline; are designed to terminate in water no deeper than six inches at MLWL, and do not extend further than 10 feet from the waterward extent of mangroves/wetlands or the MLWL (which ever is waterward). The decking of such structures must be elevated at least 6 feet above MHW, except for a ramp or stair section at the waterward end, which must be limited to no more than 10 feet long; and does not exceed 3 feet in width (except for a ladder or steps that may be added for swimming access). The stairs or ladder must be shown on the project drawings. The walkway shall be constructed only with single concrete or aluminum pilings of 12 inch diameter or greater. These structures may not terminate over algal beds, seagrasses or hardbottom communities. The terminal platform will be made of grated material and may not exceed 100 square feet, inclusive of any steps or ladder. These structures will be designed with handrails and designated by signs of at least three square feet each, with bold letters on a high contrast background, to be placed on each side of the structure that states, "No Mooring of Motorized Vessels Allowed." The "No Mooring" sign will be shown on the project diagrams. When single pile supported walkways are made of grated material, are no more than three feet in width, are elevated to conform with the Dock Construction Guidelines and placed so they cross a mangrove fringe at the least impacting

location, no mitigation will be required for that portion of the mangrove fringe impacted directly by the walkway itself.

(8) Boat Ramps (on residential canal shorelines and open water shorelines): Boat ramps only for single-family residences may be permitted. Boat ramps will be confined to shorelines of manmade canals, channels, and basins with little or no native vegetation. The width of boat ramps, including side slopes, will be limited to 15 feet. All above-water ramp, side slope or wall structures will be located landward of the original MHWL. A maximum of two short, (no longer than 20 feet in length), accessory docks (subject to the other requirements of this permit), abutting either or both sides of the ramp, are allowed. These docks may extend landward beyond the MHW. Construction of a boat ramp will not involve any filling of surface waters except for the minimum amount needed for the actual boat ramp surface, side slopes, walls or pilings for accessory docks. Walls may not exceed 2 feet in width. Dredging will be limited to the minimum amount necessary to construct the boat ramp and will not exceed 100 cubic yards of total excavation above and below MHWL. No dredging of submerged grass beds or hard bottom communities is authorized.

(9) Limitations on Shoreline Structures:

(i) No seawalls, bulkheads, riprap, or other shoreline hardening structures will be permitted on or waterward of any portion of any beach berm complex, which is known to be or is potential nesting area for marine turtles.

(ii) Bulkheads, riprap and backfill on unvegetated shorelines and shelves which do not support submerged aquatic resources shall not extend any farther waterward than existing bulkheads in the immediate area or more that 3 feet waterward of the MHWL.

(iii) Attachments to seawalls or bulkheads, such as davits, cleats, and platforms, or any other elements that constitute docking facilities shall not be allowed except as accessory to a principal use.

(iv) Seawalls may have a cap of up to 2 feet in width without being considered a dock. If docking occurs or docking devices are attached to a seawall, an individual permit is required based on the marginal concrete dock criteria above.

(v) Vertical type seawalls or bulkheads are permitted only to stabilize severely eroding shorelines and only on manmade canals, channels, or basins. Such seawalls or bulkheads are permitted only if native vegetation and/or riprap and filter cloth is not a practicable means to control erosion.

(vi) No new seawalls, bulkheads, or other hardened vertical structures will be permitted on open water unless engineering/geotechnical evidence is present that a shoreline discontinuity will not occur and/or the structure is the only method to stabilize the shoreline.

(vii) Riprap, bulkheads, and seawalls must be placed landward of any existing mangroves or wetland vegetation to the extent practicable. Native upland, wetland, and aquatic biotic communities shall be preserved to the maximum extent practicable. Where this is not practicable, mitigation will be required. When substantial wetland vegetation is present and, impacts to wetlands would result in more than minimal adverse effects, all fill placement will be above the MHWL.

(viii) Wherever practicable, assuming the absence of substantial ecologically valuable existing benthic resources, riprap must be placed at the toe of vertical seawalls to dissipate wave energy and provide substrate for marine organisms.

(ix) Riprap is the preferred, least environmentally damaging, form of shoreline armoring. Seawalls will only be authorized under the following conditions: riprap has been tried in the past and proven to be ineffective; a high energy shoreline (with main channels of canal systems, strong tidal currents, large vessels) is evident; and/or based on geo-technical considerations or no substrata exists to adequately support a riprap revetment. Geo-technical data to support the use of a seawall must be provided.

(x) All shoreline backfill must be from upland sources and consist of suitable material, free from toxic pollutants in other than trace quantities. Total fill within waters of the United States (including riprap) may not exceed 1000 square feet or 100 cubic yards. No fill may be placed below the MLWL, except for boat ramps.

(10) This permit does not authorize any building lot filling, except minimized fill not to exceed 4000 square feet on ecologically low quality building lots with set-backs from

canals and open water as required by the Corps, for backfill behind the bulkheads, boat ramps, and the placement of a riprap revetment.

(11) Mangrove impacts shall be avoided and minimized to the maximum extent possible. The mangrove fringe, and its maintenance, is considered a component of the Corps mitigation analysis. The avoided and preserved mangrove fringe is viewed as mitigation for the indirect impacts of the project on adjacent aquatic ecological habitat and indirect impacts to similar mangrove habitat in the vicinity of the project. Trimming of mangroves within the requirements of Florida's law, and as provided for in this condition, may be authorized as a permit special condition. Applicants are encouraged to learn about this law and the ability to maintain an attractive vegetative buffer while preserving the values and functions of the mangrove/buttonwood community. A Florida Department of Environmental Protection application for mangrove trimming will be provided to applicants along with the list of State certified mangrove trimmers in Monroe County. Trimming and view corridors will be authorized by the Corps as provided below, when in compliance with both State law and to the extent trimming meets the "Dock Construction Guidelines in Florida for Docks or Other Minor Structures Constructed in or over SAV, Marsh or Mangrove Habitat." The permittee must maintain all aquatic vegetation along the shoreline that is not directly impacted by the footprint of the authorized work. The vegetation may be maintained in its natural state or trimmed as indicated in this condition. Each SAJ-82 permit verification letter issued by the Corps to a permittee will identify the trimming that is authorized for the particular project (i.e., the mangroves that may be trimmed and the manner in which they may be trimmed - e.g., trimming as a hedge or "window" trimming). The amount and type of mangrove trimming allowed by the Corps is a critical component of the Corps mitigation and may be less trimming than that allowed by the State, but cannot be more trimming than authorized by the State. Issued permits will delineate the native vegetation, which is to be maintained on the project in the permit drawings. The authorized mangrove trimming provided for in the special conditions of the project specific verification is an enforceable condition of this permit and must be maintained in perpetuity unless a change is specifically authorized by the Corps.

(12) The work shall not adversely affect registered properties or properties listed as eligible for inclusion in the National Register of Historic Places. Prior to the start of

work, the permittee must contact the State Historic Preservation Officer in Tallahassee and receive confirmation that no impacts to cultural resources will occur.

(13) Conformance with the descriptions and quantities contained herein do not necessarily guarantee authorizations under this General Permit.

(14) No work shall be performed until after the permittee provides notification to the owner(s) or operator(s) of any marked utilities in the area of work.

(15) This general permit will be valid for a period of 5 years from the date specified above unless suspended or revoked by the District Engineer prior to that date.

(16) The following areas/projects are specifically excluded from this general permit:

a. Water based commercial activities (fishing guides, tours, maintenance facilities, etc.) associated with the proposed structure and conducted from a residence or multi-family dwellings.

b. Open water shorelines proposed for activities where the District's evaluation determines high natural resource value and functions exist, (e.g., impact to unique habitat, impact to critical habitat for federally listed threatened or endangered species, bird rookeries, impact to near shore coral heads, etc.).

c. Project sites, which evidence an unauthorized submerged aquatic resource/mangrove/wetland removal within 5 years prior to a request for verification

d. Marginal docks greater than the lesser of 66 percent of the shoreline or a maximum of 40 feet in length. Where located over submerged aquatic vegetation or emergent wetlands, pile supported docks that are positioned parallel or closely parallel to wetlands that are more than 66 percent of the shoreline length owned by the applicant, or a maximum of 40 feet in length.

e. Dredging waterward of that necessary for installation of bulkheads and boat ramps.

f. Any projects located in the geographical boundaries or within in-holdings of the following state parks: John Pennekamp Coral Reef State Park, Lignum Vitae Key State Botanical Site and Aquatic Preserve, Long Key State Park, Curry Hammock State Park, and Bahia Honda State Park.

g. Dock construction in any locations where damage, including that involved with vessel operation, to adjacent submerged vegetation or benthos would result; (however, authorization may be granted when it is determined, by the Corps of Engineers, that such impacts can be reduced to less than minimal adverse effects through construction modification and/or other changes).

h. Projects involving placement of fill exceeding 1 cubic yard per 1 linear foot along any authorized shoreline structure and/or projects extending beyond the direct alignment of any riprap, seawall, bulkhead, dock or any other marginal structure.

i. Projects in all Federal navigation and flood control channels.

(17) For projects in waters accessible to manatees, the permittee will utilize the attached Standard Manatee Conditions for In-Water Work, dated July 2005 and/or requirements, as appropriate for the proposed activity. (Attached). *Note: The manatee conditions may be subject to revision at any time. It is our intention that the most recent version of these conditions will be utilized during the evaluation of the permit application.*

(18) No work shall be performed until the applicant submits satisfactory plans for the proposed work and receives written authorization from the District Engineer. Accurate photographs of the project site taken to capture the entire work area must be submitted with the application. These photographs will be verified by an on-site inspection by a Corps employee, maintained in the project file for reference and (if requested) a copy of the verification will be provided to the National Marine Fisheries Service's Habitat Conservation Division.

(19) No activity shall be authorized under this general permit, which by its size or location may adversely affect water quality, fish and wildlife habitat, wetlands, or emergent or submerged aquatic vegetation. Adverse impacts to submerged aquatic vegetation from dock construction may be mitigated by strict adherence to the attached joint U.S. Army Corps of Engineers'/National Marine Fisheries Service's "Dock

Construction Guidelines in Florida for Docks or Other Minor Structures Constructed in or over Submerged Aquatic Vegetation, Marsh or Mangrove Habitat - U.S. Army Corps of Engineers/National Marine Fisheries Service - August 2001, unless more stringent measures are required by this general permit." Dock construction in areas with submerged aquatic vegetation, which do not adhere to these guidelines cannot be authorized by SAJ-82. Docks authorized by this permit must be constructed in full and complete compliance with these guidelines, and additional minimization which may be required by the Corps to insure impacts are minimal. Adherence to these guidelines is considered by the Corps as offsetting the indirect impacts of the project on adjacent and nearby similar aquatic resources. Such indirect impacts are a result of increased boat traffic and utilization of the area. *Note: The Dock Construction Guidelines may be subject to revision at any time. It is our intention that the most recent version of this technical tool will be utilized during the evaluation of the permit application.*

(20) No activity is authorized under this general permit which is likely to adversely affect a Federally listed threatened or endangered species or a species proposed for such designation, or destroy or adversely modify its designated critical habitat.

(21) Projects qualifying for the SAJ-82 must be authorized under Part IV of Chapter 373 by the Department of Environmental Protection, a water management district under s. 373.069, F.S., or a local government with delegated authority under s. 373.441, F.S. and receive Water Quality Certification (WQC) and Coastal Zone Consistency Concurrence (CZCC) or waiver thereto, as well as any authorizations required for the use of sovereignty submerged lands that must be obtained as part of the associated WQC or CZCC.

(22) The District Engineer reserves the right to require that any request for authorization under this general permit be processed as a Letter of Permission or standard permit.

(23) The General conditions attached hereto are made a part of this permit and must be attached to all authorizations processed under this permit.

(24) This permit is only valid in conjunction with all other Federal, State and local permits/authorizations which may be required.

(25) A structure authorized under this General Permit must not interfere with general navigation. Structures (and their moored vessels) constructed on canals or adjacent to channels must not extend more than 25 percent of the navigable waterway. The Corps may require Coast Guard approved lighting as a condition for approval of any structure(s) authorized by this General Permit, which must be installed and maintained at the expense of the permittee.

(26) No living, fueling, or storage facilities over navigable waters of the United States are authorized under this General Permit.

(27) This regional general permit will be valid for a period of five years from the date specified above unless suspended or revoked by the District Engineer prior to that date. If SAJ-20 expires or is revoked prior to completion of the authorized work, authorization of activities that have commenced or are under contract to commence in reliance on SAJ-20 will remain in effect provided the activity is completed within 12 months of the date SAJ-82 expired or was revoked.

(28) When visibility does not allow the work area to be seen from the surface the permittee shall dive or snorkel the work area to insure no listed species is present. In the event a species listed as threatened or endangered or a species proposed for listing is found, work must stop unless or until the species has left the work area of its own volition. This includes but is not limited to Smalltooth sawfish (*Pristis pectinata*), West Indian manatee (*Trichechus manatus*), American Crocodile (*Crocodylus acutus*), all species of sea turtles, and elkhorn and staghorn coral. Areas containing elkhorn and staghorn coral, (and any other species of coral which are or may become listed/proposed for listing under the Endangered Species Act) are prohibited from receiving verifications under SAJ-82.

(29) Turbidity control measures shall be required, and the work must be conducted so as to prevent violations of State Water Quality Standards as established in section 62-4.242 and 62-4.244 or the Florida Administrative Code and Chapters 62-302,62-520, 62-522, and 62-550 of the Florida Administrative Code.

(30) For any impact to sessile aquatic resources (living flora and fauna), the permittee will be required to conduct mitigation approved by the Corps to compensate for unavoidable impacts, (or if they chose to participate in an in-lieu-fee

mitigation may submit a fee, as determined by the Corps), to compensate for those impacts to the Keys Environmental Restoration Fund (KERF), 11399 Overseas Highway, Suite 4E, Marathon, Florida 33050-3600, telephone 305-289-9988, for the acquisition, enhancement, preservation and management of wetland resources within Monroe County. Proof of payment will be made to the U.S. Army Corps of Engineers, Regulatory Division, Enforcement Branch, Florida Keys Proof, Post Office Box 4970, Jacksonville, Florida 32232-0019, fax 904-232-1684, telephone 904-232-3526. In the event the permittee chooses to participate in the KERF, the Corps will assess mitigation using the current Keys Mitigation Index Guidelines (KEYMIG). If the permittee proposes on-site or off-site mitigation, they must submit a Uniform Mitigation Assessment Method (UMAM) or other functional assessment for review of their mitigation proposal. Mitigation proposals utilizing UMAM will be evaluated by the Corps and additional Full Cost Accounting Requirements may added by the Corps (e.g. land acquisition, administrative fees, detailed mitigation plans, 5 year monitoring reports). The Corps verification for authorized work will not be issued until submittal and acceptance by the Corps of such project specific mitigation.

(31) The permittee shall comply with the following protected species (sea turtle and smalltooth sawfish construction conditions: **http://www.saj.usace.army.mil/permit/Endangered_Species/end_species_index.htm** The permittee shall instruct all personnel associated with the project of the potential presence of these species and the need to avoid collisions with sea turtles and smalltooth sawfish. All construction personnel are responsible for observing water-related activities for the presence of these species. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing sea turtles or smalltooth sawfish, which are protected under the Endangered Species Act of 1973. Siltation barriers shall be made of material in which a sea turtle or smalltooth sawfish cannot become entangled, be properly secured, and be regularly monitored to avoid protected species entrapment. Barriers may not block sea turtle or smalltooth sawfish entry to or exit from designated critical habitat without prior agreement from the National Marine Fisheries Service's Protected Resources Division, St. Petersburg, Florida. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water depths where the draft of the vessel provides less than a four-

foot clearance from the bottom. All vessels will preferentially follow deep-water routes (e.g., marked channels) whenever possible. If a sea turtle or smalltooth sawfish is seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure its protection. These precautions shall include cessation of operation of any moving equipment closer than 50 feet of a sea turtle or smalltooth sawfish. Operation of any mechanical construction equipment shall cease immediately if a sea turtle or smalltooth sawfish is seen within a 50-ft radius of the equipment. Activities may not resume until the protected species has departed the project area of its own volition. Any collision with and/or injury to a sea turtle or smalltooth sawfish shall be reported immediately to the National Marine Fisheries Service's Protected Resources Division (727-824-5312) and the local authorized sea turtle stranding/rescue organization.

(32) Standard manatee protection conditions shall be followed for all in-water construction activities. http://www.saj.usace.army.mil/permit/Endangered_Species/end_species_index.htm

(33) The permittee agrees and understands that based on the presence of suitable and/or critical habitat on the work site or if their proposed project may impact such habitat off the work site the Corps will enter into consultation with the United States Fish and Wildlife Service and require additional special conditions required to protect the West Indian manatee (*Trichechus manatus*) , the American Crocodile (*Crocodylus acutus*), the piping plover (*Charadrius melodus*), the Lower Keys rabbit(=marsh rabbit) (*Sylvilagus palustris hefneri*), Key Deer (*Odocoileus verginianus clavium*), Schaus swallowtail butterfly (*Heaclides aristodemus ponceanus*), Eastern indigo snake (*Drymarchon corais couperi*), Stock Island tree snail, (*Orthalicus reses reses*), Key Largo woodrat (*Neotoma floridana smalli*), Key Largo cotton mouse (*Peromyscus gossypinus allapaticola*) and the silver rice rat (*Oryzomys plaustris natator*) and other species which may be later listed or proposed for listing in the future. Applications must provide real estate numbers for the project site for the Corps to compare with data provided by the FWS.

(34) The permittee will take the actions required to record the issued permit with the Clerk of the Circuit Court, Registrar of Deeds or other appropriate official charged with the responsibility of maintaining records of title to or interest in real property within the county of the authorized

activity. The permittee must, no later than 90 days after the date of this DA permit, provide a copy of the recorded permit clearly showing a stamp from the appropriate official indicating the book and page at which the permit is recorded and the date of recording. Failure to properly record this permit may result in a non-compliance action. Proof of filing will be made to the U.S. Army Corps of Engineers, Regulatory Division, Enforcement Branch, Florida Keys Proof, Post Office Box 4970, Jacksonville, Florida 32232-0019, fax 904-232-1684, telephone 904-232-3526.

(35) Within 60 days of the completion of the work authorized, or before the authorized structure is used for its intended purpose (which ever is the shorter period of time), the attached "Self-Certification Statement of Compliance" must be completed and submitted to the U.S. Corps of Engineers. This correspondence will include four photographs, each showing the entire structure taken from the east, west, north and south sides of the completed structure. Failure to properly submit the information required may result in a non-compliance action. The Self-Certification will be mailed to the U.S. Army Corps of Engineers, Regulatory Division, Enforcement Branch, Florida Keys Proof, Post Office Box 4970, Jacksonville, Florida 32232-0019, fax 904-232-1684, telephone 904-232-3526.

(36) Any area designated at the time of permit verification by the Corps as a "Preservation Area" will remain in its natural state in perpetuity. There will be no disturbance to a Preservation Area by any dredging, filling, land clearing, agricultural activities, planting, or other construction work whatsoever. The preservation areas shall not contain more than 5 percent of Category I pest plants as listed by the Florida Exotic Pest Plant Council (FLEPCC) at the time of permitting. This list can be found at http://www.fleppc.org. The permittee agrees that the only future utilization of the Preservation Area will be as a purely natural area.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

Paul L. Grosskruger
Colonel, U.S. Army
District Engineer

GENERAL CONDITIONS FOR FEDERAL AUTHORIZATION FOR SAJ-82

General Conditions

1. The time limit for completing the work authorized ends on April 26, 2012.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature and mailing address of the new owner in the space provided below and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

7. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall

cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

Further Information:

1. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal projects.

2. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

3. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

4. Reevaluation of Permit Decision: This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 3 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

5. Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

_____ _____

(TRANSFEREE-SIGNATURE) (DATE)

_____

(NAME-PRINTED)

_____

(ADDRESS)

FUNCTIONAL ASSESSMENT
(KEY MIG)) (February 22, 2007)
(WITHIN IMPROVED SUBDIVISIONS)

WATERBODY IMPACTED

OPEN SHORELINE	see A.
RESIDENTIAL CANAL	see A.

A.

BUILDING LOT	see B.
SHORELINE AND/OR SEABOTTOM	see E.

B.

ADJACENT LOT DEVELOPMENT<50%	see C.
ADJACENT LOT DEVELOPMENT>50%	see D.

C.

1. Inter-tidal	1.0 Habitat Unit/SqFt
2. Site undisturbed or exhibits minor impacts	1.0 Habitat Unit/SqFt
3. Site exhibits moderate impacts	0.5 Habitat Unit/SqFt
4. Site exhibits significant impacts	0.25 Habitat Unit/SqFt

D.

1. Inter-tidal	1.0 Habitat Unit/SqFt
2. Site undisturbed or exhibits minor impacts	0.5 Habitat Unit/SqFt
3. Site exhibits moderate impacts	0.25 Habitat Unit/SqFt
4. Site exhibits significant impacts	0.125 Habitat Unit/SqFt

E. Proposed Work Includes Impacts to :

Shoreline (Above MHW)	see F.
Submerged Aquatic Resources or Seabottom	see L.

F. Present Condition

Naturally Barren (rock, bolder, etc.)	No Mitigation
Vegetation present (FAC or wetter) or Cleared with the past 3 years	see G.

G.

Exotics present (more than incidental)	see H.
No exotics present (or only incidental)	see K.

H.

Exotics Coverage > 50%	see I.
Exotics Coverage < 50%	see J.

I.

1. Total % vegetative Coverage <33%	0.125 Debit Units/SqFt
2. Total % vegetative Coverage >34%, but <66%	0.25 Debit Units/SqFt
3. Total % vegetative Coverage >66%	0.5 Debit Units/SqFt

FUNCTIONAL ASSESSMENT(Continued)

J.

1. Total % vegetative Coverage <33%	0.25 Debit Units/SqFt
2. Total % vegetative Coverage >34%, but <66%	0.5 Debit Units/SqFt
3. Total % vegetative Coverage >66%	0.75 Debit Units/SqFt

K.

1. Total % vegetative Coverage <33%	0.5 Debit Units/SqFt
2. Total % vegetative Coverage >34%, but <66%	0.75 Debit Units/SqFt
3. Total % vegetative Coverage >66%	1.0 Debit Units/SqFt

L.

No submerged resources	No Mitigation
Submerged aquatic resources	see M.
Seabottom (along open shoreline)	see M.

M.

Two attached macrospecies or less of algae. No Seagrass present.	see N.
Three attached macroalgae and or seagrass present.	see O.

N.

1. Total % vegetative Coverage <50%	0.25 Debit Units/SqFt
2. Total % vegetative Coverage >50%	0.5 Debit Units/SqFt

O.

1. Total % vegetative Coverage <33%	0.5 Debit Units/SqFt
2. Total % vegetative Coverage >33%, but <66%	0.75 Debit Units/SqFt
3. Total % vegetative Coverage >66%	1.0 Debit Units/SqFt
4. Intertidal	1.0 Debit Units/SqFt

NOTES

Average Shoreline Fringe/Shelf Width- computed by the total length of 3 transects / by 3 = width
Herb <3.2' tall, **Shrub** <3.0' DBH but > 3.2' tall, **Tree** > 3.0 DBH, DBH= Diameter at Breast Height
Impacts- Includes but is not limited to previous land clearing, cutting of native vegetation, placement of fill material or other activities that were not authorized under Corps of Engineers regulations, or were performed by the previous owner.
Incidental/Minor- Exotic vegetation less than 33% coverage, and/or fill placement or land clearing less than 10%
Keys Environmental Restoration Fund Admin Fee (FAF)- Required by MOU dtd, May 26, 1998, between USACOE & the Florida Audubon Society.
Land Acquisition Component (LAC)- 73% assessment is based Full Cost Accounting for mitigation work conducted on public land.
Moderate- Exotic vegetation coverage more than 33%, but less that 66%
Navigable Channel- the perpendicular distance across a canal or channel starting and ending at the minus 4 ft. depth contour.
Shoreline Resources- extend from Mean High Water Line (MHWL) landward into the lot to limit of the uninterrupted continuum of existing/former obligate wetland vegetation.
Significant- Exotic vegetation coverage > 66%, and or fill placement or land clearing > 25%.
Submerged Aquatic Resources (SAR)- Includes all calcareous algae, red mangrove prop-roots, seagrasses, and sessile marine organisms (and are below MHWL).

MEMORANDUM FOR THE RECORD

SUBJECT: Functional Assessment DATE:
KEYMIG Worksheet

RECORDED BY: PERMIT #:

PERMITTEE:

ADID: SCORE/VERIFIED/APPLICABLE_____

HYDROLOGY/SOILS:_____

JURISDICTION BASED ON:_____

Upon review of the Mitigation Index Guideline it is

determined that:

1)Lot Description(type of vegetation, clearing, % total vegetative cover, % coverage in overstory, shrub and herbaceous
layer),_____
_____
_____
_____
_____
_____
_____

Lot (L) matches _____which ranks at

_____ Debit Units (DU) per square feet. The area of

impact consists of _____ square feet. Multiply the square footage by the debit units to determine the debit unit product (right column) below.

_____ SF X _____ DU/SF = _____ DU

(The average unit cost of a credit unit of mitigation for terrestrial restoration projects equals $3.90/CU [this amount may vary as additional mitigation sites are considered]). Multiply the debit unit factor by $3.90.

_____ DU X $3.90 = _____ (DEBIT UNIT ADJUSTED FACTOR)

MEMORANDUM FOR THE RECORD

FUNTIONAL ASSESSMENT KEY
(PAGE 2)

L Impact Characterization in Percentage: List the percentage each portion (overstory, shrub and herbaceous) comprises of the total vegetative cover.

Mature/Semi-mature(wetland tree species) _____%

Scrub/Shrub _____%

Herbaceous _____%

(**Risk**) Compute and insert percent values below: Based on the percentages listed,- enter corresponding dollar values in first column. [This is determined by dividing the total Debit Unit Adjusted Factor by 100 and then multiplying by a whole number percentage (and decimal if needed) to determine the corresponding value. Round all decimals to 2nd decimal place.] Then multiply by the risk factor given to adjust for risk.

(Mature/semi-mature)_____ X 1.1 = _____

(Scrub/Shrub) _____X 1.1 = _____

(Herbaceous) _____ X 1.05 = _____

Temporal Loss (Insert Risk adjusted values below and divide by the Temporal Loss Factor [see "T" chart, consider the area's history and current guidance]. Then add values to obtain the Lot total.): Transfer the products determined in the right hand column above to the corresponding left hand column below. Compute temporal loss by dividing each amount by the given factor. Add the quotients in the left hand column and place the sum below. After placing the sum below also record the lot (**L**) total on the last page on the line marked by an asterisk (*).

(Mature/semi-mature)_____ /0.7324 (20 years)=_____

(Shrub) _____/0.8611 (10 years)=_____

(Herbaceous) _____ /0.9670 (3 years)=_____

Lot (L) Total=_____ (Insert at **L** page #6)

MEMORANDUM FOR THE RECORD

FUNTIONAL ASSESSMENT KEY WEP
(PAGE 3)

2) Shoreline Fringe Description(type of vegetation, clearing, % total vegetative cover, % coverage in over- story, shrub and herbaceous layer, frequency and species of exotics, etc.),

_____

_____

_____

_____

_____

_____

_____

Shoreline Fringe (SF) matches _____ which ranks at _____ Debit Units (DU) per square feet. The area of impact consists of _____ square feet. Multiply the square footage by the debit units to determine the debit unit product below.

_____ SF X _____ DU = _____ DU product

(The average unit cost of a credit unit of mitigation for wetland restoration projects equals $3.90/CU. [This amount may vary as additional mitigation sites are considered.])

_____ DU product X $3.90 = _____ (DEBIT UNIT ADJUSTED FACTOR)

SF Impact Characterization in Percentage: List the percentage each portion (overstory, shrub and herbaceous) comprises of the total vegetative cover.

Mature/Semi-mature(wetland tree species) _____%

Scrub/Shrub _____%

Herbaceous _____%

(**Risk**) Compute and insert percent values below: Based on the percentages listed,- enter corresponding dollar values in first column. Then multiply by the risk factor given to adjust for risk.

(Mature/semi-mature)_____ X 1.1 = _____

(Scrub/Shrub) _____ X 1.1 = _____

(Herbaceous) _____ X 1.05 = _____

MEMORANDUM FOR THE RECORD

FUNTIONAL ASSESSMENT KEY WEP
(PAGE 4)

Temporal Loss (Insert Risk adjusted values below and divide by the Temporal Loss Factor [see "T" chart, consider the area's history and current guidance]. Then add values to obtain the Lot total.): Transfer the products determined in the right hand column above (previous page) to the corresponding left hand column below. Compute temporal loss by dividing each amount by the given factor. Add the quotients in the left hand column and place the sum below. After placing the sum below also record the shoreline fringe **(SF)** total on the last page on the line marked by an asterisk (*).

(Mature/semi-mature)_____ /0.6766 (25 years)= _____

(Shrub) _____ /0.8611 (10 years)= _____

(Herbaceous) _____ /0.9670 (3 years)= _____

Shoreline Fringe (SF) Total=_____(Insert at **SF** page #6)

3) Submerged Aquatic Resources Description (greater or less than 3 algae species, species of seagrass, presence of mangrove prop-roots extending below the water surface, % coverage of algae and seagrass, bivalves, small/juvenile fishes, sponges, coral, (other sessile marine organisms), macro invertebrates, etc.),_____

_____

_____

_____

_____

_____

_____

_____

Submerged Aquatic Resources (SAR) matches _____ which ranks at_____ Debit Units (DU) per square feet. The area of impact consists of _____ square feet. Multiply the square footage by the debit units to determine the debit unit product below.

_____ SF X _____ DU = _____ DU product

MEMORANDUM FOR THE RECOR

FUNTIONAL ASSESSMENT KEY WEP
(PAGE 5)

(The average unit cost of a credit unit of mitigation for restoration projects equals $6.64/CU (this amount may vary as additional mitigation sites are considered)

_____ DU X $6.64 = _____ (DEBIT UNIT ADJUSTED FACTOR)

SAR Impact Characterization in Percentage: : List the percentage of both factors for (1 algae, sessile marine organisms, mangrove prop-roots and all seagrass species, but Thalassia. 2 List Thalassia below separately), which comprise the submerged aquatic resource cover.

(Sessile Marine Organisms, Algae, Mangrove prop-roots,Syringodium, Halodule, and Halophila). 1_____%

(Thalassia) 2_____%

(Risk) Compute and insert percent values below: Based on the percentages listed,- enter corresponding dollar values in first column. Then multiply by the risk factor given to adjust for risk.

(Sessile Marine Organisms, Algae, Mangrove prop-roots,

Syringodium, Halodule, and Halophila).

1 _____ X 1.3 = _____

(Thalassia) 2 _____ X 1.3 = _____

Temporal Loss (Insert Risk adjusted values below and divide by the Temporal Loss Factor [see "T"chart and current guidance]. Then add values to obtain the SAR total.):

(Sessile Marine Organisms, Algae, Mangrove prop-roots,

Syringodium, Halodule, and Halophila).

Now transfer the products determined in the right hand column above to the corresponding left hand column below. Compute temporal loss by dividing each amount by the given factor. Add the quotients in the left hand column (below) and place the sum (at SAR total) below. After placing the sum below also record the shoreline fringe **(SAR)** total on page 6 on the line marked by an asterisk (*).

1_____ /0.967 (3 years) =_____

Thalassia 2_____/0.7686 (17 years) =_____

Submerged Aquatic Resources **(SAR)** Total=_____

MEMORANDUM FOR THE RECORD

FUNTIONAL ASSESSMENT KEY WEP (PAGE 6)

*Add the value of **L**_____ + **SF** _____ +**SAR** _____

Add the totals above, (L+SF+SAR), and enter the total below.

(Note: The total of the first & second columns and the total of the third column above will be entered in, the Key MIG Agreement Letter, informing the applicant of the contribution required for mitigation of terrestrial impacts [columns one and two] and submerged aquatic resource impacts.)

= $_____ **Resource Impact Subtotal (RIS).**

Enter the Resource Impact Subtotal (RIS) in the left hand column below. To determine the Land Acquisition Component (LAC) add 30% of the RIS value to the left column and place the sum in the right column.

Land Acquisition Component (LAC)

RIS$_____ +(73%)_____ = $_____(**LAC** Adjusted Total)

Fund Administrative Fee (FAF) to obtain the total mitigation contribution. To determine the Keys Environmental Restoration Fund's Administrative Fee place the sum above (LAC) in the left column and add 15% to the amount. Place the sum in the right column.

LAC Total$_____ +(15%)_____ =$_____**(Total w/ FAF)**

Enter the third column below which is the mitigation sum total.

(Note: The second column above will be used in, the Key MIG Agreement Letter, informing the applicant of the contribution required for the FKERTF Admin fee.)

A total of $_____ will be required as in-lieu payment to the Keys Environmental Restoration Fund for compensation for unavoidable wetland impacts.